

AMENDED IN SENATE MAY 6, 2009

SENATE BILL

No. 730

Introduced by Senator Wiggins

February 27, 2009

An act to ~~add Section 48009 to~~ *amend Section 48000* of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 730, as amended, Wiggins. Solid waste: ~~grants and loans: eligibility fees.~~

Existing law requires an operator of a disposal facility to pay quarterly to the State Board of Equalization a fee, as determined by the California Integrated Waste Management Board (board), based on the amount of solid waste disposed of at each disposal site.

This bill would require an operator of a transfer or processing station that transfers solid waste for disposal outside of the state to pay the above fee on that solid waste.

~~Existing law authorizes the Integrated Waste Management Board to issue grants and loans to local governments for various purposes including, among other things, expansion of recycling efforts, household hazardous waste, and local enforcement of solid waste regulations.~~

~~This bill would provide that a public entity of the state is ineligible for any grants, loans, or loan guarantees from, or any other financial incentive administered by, the board, if the entity disposes or causes the disposal of solid waste at a facility within the state that does not meet standards that are as stringent as the state standards or at a facility located outside the state.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 48000 of the Public Resources Code is*
2 *amended to read:*

3 48000. (a) Each operator of a disposal facility shall pay a fee
4 quarterly to the State Board of Equalization ~~which~~ *that* is based
5 on the amount, by weight or volumetric equivalent, as determined
6 by the board, of all solid waste disposed of at each disposal site.

7 (b) The fee for solid waste disposed of shall be one dollar and
8 thirty-four cents (\$1.34) per ton. Commencing with the 1995–96
9 fiscal year, the amount of the fee shall be established by the board
10 at an amount that is sufficient to generate revenues equivalent to
11 the approved budget for that fiscal year, including a prudent
12 reserve, but shall not exceed one dollar and forty cents (\$1.40) per
13 ton.

14 (c) *An operator of a transfer or processing station that transfers*
15 *waste to a destination outside of the state for disposal shall pay a*
16 *fee quarterly to the State Board of Equalization, as determined by*
17 *the board pursuant to subdivision (b), on all solid waste that the*
18 *operator transfers out of the state for disposal.*

19 ~~(e)~~

20 (d) The board shall notify the State Board of Equalization on
21 the first day of the period in which the rate shall take effect of any
22 rate change adopted pursuant to this section.

23 ~~(d)~~

24 (e) The board and the State Board of Equalization shall ensure
25 that all the fees for solid waste imposed pursuant to this section
26 that are collected at a transfer station are paid to the State Board
27 of Equalization in accordance with this article.

28 ~~SECTION 1. Section 48009 is added to the Public Resources~~
29 ~~Code, to read:~~

30 ~~48009. (a) A public entity of the state is ineligible for any~~
31 ~~grants, loans, or loan guarantees from, or any other financial~~
32 ~~incentives administered by, the board if the entity disposes or~~
33 ~~causes the disposal of solid waste at a facility that does not meet~~
34 ~~standards that are as stringent as the standards set forth in this~~
35 ~~division or regulations issued pursuant to this division or at a~~
36 ~~facility located outside of the state.~~

1 ~~(b) This section does not apply to a public entity that entered~~
2 ~~into a solid waste disposal contract before January 1, 2010, for the~~
3 ~~duration of the contract.~~

4 ~~(c) Subdivision (b) does not apply to the renewal of a solid waste~~
5 ~~disposal contract occurring on or after January 1, 2010.~~

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